

Forty-ninth Legislature
First Regular Session

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2070

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 19-121.04, Arizona Revised Statutes, is amended to
3 read:

4 19-121.04. Disposition of petitions by secretary of state

5 A. Within seventy-two hours, excluding Saturdays, Sundays and other
6 legal holidays, after receipt of the facsimile signature sheets and the
7 certification of each county recorder, the secretary of state shall determine
8 the total number of valid signatures by subtracting from the total number of
9 eligible signatures determined pursuant to section 19-121.01, subsection A,
10 paragraph 6 in the following order:

11 1. All signatures on petitions containing a defective circulator's
12 affidavit.

13 2. All signatures that were found ineligible by the county recorders
14 and that were not subtracted pursuant to paragraph 1 of this subsection.

15 3. After determining the percentage of all signatures found to be
16 invalid in the random sample, a like percentage from those signatures
17 remaining after the subtractions performed pursuant to paragraphs 1 and 2 of
18 this subsection.

19 B. If the actual number of signatures after certification pursuant to
20 subsection C of this section on the remaining sheets after any such
21 subtraction equals or exceeds the minimum number required by the constitution
22 or if the number of valid signatures as projected from the random sample
23 pursuant to subsection A of this section is at least one hundred five per
24 cent of the minimum number required by the constitution, the secretary of
25 state shall issue the following receipt to the person or organization that
26 submitted them:

27 _____ signature pages bearing _____
28 signatures for initiative (referendum) petition serial number ____ have

1 been refused for filing in this office because the person circulating
2 them was a county recorder or justice of the peace at the time of
3 circulating the petition or due to defects in the circulator's
4 affidavit. A total of _____ signatures included on the
5 remaining petition sheets were found to be ineligible. Of the total
6 random sample of _____ signatures, a total of _____
7 signatures were invalidated by the county recorders resulting in a
8 failure rate of _____ per cent. The actual number of remaining
9 signatures for such initiative (referendum) petition number _____
10 are equal to or in excess of the minimum required by the constitution
11 to place a measure on the general election ballot. The number of valid
12 signatures filed with this petition, based on the random sample,
13 appears to be at least one hundred five per cent of the minimum
14 required or through examination of each signature has been certified to
15 be greater than the minimum required by the constitution.

16 Date: _____

17 Secretary of State

18 (Seal)

19 The secretary of state shall then forthwith notify the governor that a
20 sufficient number of signatures has been filed and that the initiative or
21 referendum shall be placed on the ballot in the manner provided by law.

22 C. If the number of valid signatures as projected from the random
23 sample is less than one hundred five but greater than **ninety-five**
24 **ONE HUNDRED** per cent of the minimum number required by the constitution, the
25 secretary of state shall order the examination and verification of each
26 signature filed and shall so notify the county recorders. The county
27 recorder's certification shall be in the form prescribed by the secretary of
28 state.

29 D. If the number of valid signatures as projected from the random
30 sample is less than **ninety-five** **ONE HUNDRED** per cent of the minimum number
31 required by the constitution or if the actual number of signatures on the
32 remaining sheets after any such subtraction from the random sample or after

certification fails to equal or exceed the minimum required by the constitution, the secretary of state shall immediately return the original signature sheets, in the form filed by him under section 19-121, to the person or organization that submitted them, together with a certified statement that, for the following reasons, the petition lacks the minimum number of signatures to place it on the general election ballot:

1. Signature sheets bearing secretary of state page numbers _____ and bearing signatures of _____ persons appeared on petitions containing a defective circulator's affidavit.

2. A total of _____ signatures on the remaining petition sheets were found to be ineligible.

3. A total of _____ signatures included in the random sample have been certified by the county recorders as ineligible at the time such petition was signed and a projection from such random sample has indicated that _____ more signatures are ineligible to appear on the petition.

A facsimile of the certifications of the county recorders under section 19-121.02 shall accompany the signature sheets returned to the person or organization that submitted them."

Amend title to conform

and, as so amended, it do pass

ANDY BIGGS
Chairman

2070-se-ti
3/5/09
H:jjb